

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**NOTICE OF CORRESPONDENCE REGARDING THE THREE HUNDRED
SEVENTIETH OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE
COMMONWEALTH OF PUERTO RICO, THE PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY, THE EMPLOYEES RETIREMENT SYSTEM OF
THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO,
AND THE PUERTO RICO PUBLIC BUILDINGS AUTHORITY
TO PROOF OF CLAIM NO. 179391**

To the Honorable United States District Judge Laura Taylor Swain:

1. On August 20, 2021, the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, HTA, and ERS, the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

“Debtors”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Debtors pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *Three Hundred Seventieth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Puerto Rico Highways and Transportation Authority, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Public Buildings Authority to Duplicate Claims* [ECF No. 17935] (the “Three Hundred Seventieth Omnibus Objection”) to various proofs of claim.

2. The Three Hundred Seventieth Omnibus Objection seeks to disallow claims that are substantively duplicative of other proofs of claim filed in the Title III Cases.³ As set forth in Exhibit A thereto, the claims identified in the column titled “Claims to be Disallowed” (collectively, the “Claims to Be Disallowed”) assert the same liabilities against the Commonwealth, HTA, ERS and/or PBA as the claims identified in the column titled “Remaining Claims” (each a “Remaining Claim” and collectively, the “Remaining Claims”).

3. The Debtors received the attached correspondence from William Roman Morales (“Roman Morales”), a copy of which is attached hereto as Exhibit “A” (the “Roman Morales Response”), regarding Proof of Claim No. 179391 (the “Roman Morales Claim”). A certified translation of the Roman Morales Response is attached hereto as Exhibit “A-1”.

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Three Hundred Seventieth Omnibus Objection.

4. The Roman Morales Claim asserts liabilities in an unspecified amount purportedly arising from civil rights violations and medical malpractice experienced during Roman Morales's imprisonment at the Puerto Rico Department of Corrections and Rehabilitation ("DCR").

5. The Roman Morales Response, a copy of a notice sent to claimants subject to the Three Hundred Seventieth Omnibus Objection, on which notes were handwritten in Spanish, was received by Prime Clerk on October 27, 2021. Therein, Roman Morales does not dispute that the Roman Morales Claim asserts the same liabilities as set forth in a second proof of claim also filed by Roman Morales, Proof of Claim No. 179392 (the "Roman Morales Remaining Claim"), which also seeks liabilities against the DCR purportedly arising from civil rights violations and medical malpractice. Rather, the Roman Morales Response merely reiterates the basis of the Roman Morales Claim, stating that Roman Morales asserts liabilities associated with "[p]oor medical services and violation of my civil rights" and "[m]edical malpractice from the management at all times." Roman Morales Resp. at 1.

6. Accordingly, because Roman Morales does not dispute that the Roman Morales Claim is duplicative of the Roman Morales Remaining Claim, the Debtors respectfully request that the Court grant the Three Hundred Seventieth Omnibus Objection and disallow the Roman Morales Claim, notwithstanding the Roman Morales Response.

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Dated: February 2, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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